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IN THE COURT OF APPEALS OF INDIANA

IN THE MATTER OF THE INVOLUNTARY TERMINATION OF THE PARENT-CHILD RELATIONSHIP OF A.W., Minor Child, and His Mother, RAGEING WARR,	)	
RAGEING WARR,	)	
Appellant-Respondent,	)	
vs.	)	No. 49A02-0612-JV-1132
MARION COUNTY OFFICE OF FAMILY AND CHILDREN,	)	
Appellee-Petitioner,	)	
and	)	
CHILD ADVOCATES, INC.,	)	
Co-Appellee (Guardian ad Litem).	)	

APPEAL FROM THE MARION SUPERIOR COURT
The Honorable Viola Taliferro, Judge
Cause No. 49D09-0605-JT-18813

June 26, 2007

MEMORANDUM DECISION - NOT FOR PUBLICATION

SHARPNACK, Judge

Rageing Warr ("Mother") appeals the trial court's termination of her parental rights to Ad.W. Mother raises one issue, which we revise and restate as whether the trial court's order terminating Mother's parental rights to Ad.W. is clearly erroneous.

We affirm.[1]

The relevant facts follow. Mother has a daughter, Al.W.,[2] who was born on March 14, 1990, and a son, Ad.W., who was born on May 26, 1996.[3] On August 25, 2005, Mother attended a hearing involving Al.W. and repeatedly interrupted the judge. The judge asked Mother several times to be quiet and wait for her turn to speak, but Mother continued to interrupt the judge. The judge motioned for Marion County Sheriff's Deputy Raymond Edinger to take Mother into custody and told Mother that she was being detained for contempt of court. Mother became very irate, screamed, and wrapped her arms around a chair. Deputy Edinger told Mother several times to release the chair and struggled with Mother. Two other bailiffs entered the courtroom to help Deputy Edinger subdue Mother. Deputy Edinger handcuffed Mother and escorted her out of the courtroom. Mother's disruptive behavior continued into the lockup area when

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[1] We direct Mother's attention to Ind. App. Rule 46(A)(10), which requires an appellant's brief to "include any written opinion, memorandum of decision or findings of fact and conclusions thereon relating to the issues raised on appeal."

[2] The trial court's termination of parental rights did not address Mother's parental rights to Al.W.

[3] Christopher Johnson is the alleged father of Ad.W.

Mother yelled, "I have another child at home that's left alone and I need to get home to that child." Transcript at 102. One of the deputies called Child Protective Services.

The State charged Mother with contempt of court, disorderly conduct, resisting law enforcement, and two counts of battery. The State later dismissed the two counts of battery. Mother also has pending charges of battery by body waste, battery, resisting law enforcement, two counts of disorderly conduct, and resisting law enforcement.

On August 29, 2005, the Marion County Department of Child Services ("MCDCS") filed a petition alleging that Al.W. and Ad.W. were children in need of services ("CHINS"). The petition alleged:

* * * * *

> 5. The children are Children In Need of Services as defined in IC 31-34-1 in that: one or more of the children's physical or mental condition is seriously impaired or seriously endangered as a result of the inability, refusal, or neglect of a parent, guardian or custodian to supply one or more of the children with necessary food, clothing, shelter, medical care, education or supervision; and the children need care, treatment or rehabilitation that the children are not receiving and are unlikely to be provided or accepted without the coercive intervention of the Court, as shown by the following, to wit:
>
> A) On or about August 26th, the Marion County Department of Child's Services (MCDCS) by its Family Casemanager (FCM) Jennifer Sweazy, these children to be children in need of services because their mother and sole legal custodian, Rageing Warr, was arrested at the Juvenile Court on August 25th, 2005 and charged with contempt of Court, D Felony Battery with Injury, D Felony Resisting Law Enforcement, A misdemeanor battery with injury, and B Misdemeanor disorderly conduct. In addition [Mother] still has charges pending from April for D felony battery with bodily waste and resisting law enforcement. When [Mother] was taken into police custody, there was no one to care for her son [Ad.W.].

> Officers found [Ad.W.] home alone. The children are in need of services due to [Mother]'s inability to control her anger and parent her children and also because [Ad.W.] was left alone with no one to care for him when [Mother] was arrested.
>
> B) The alleged father of [Al.W.] is George Lewis, and Mr. Lewis' whereabouts are unknown. The alleged father of [Ad.W.] is Christopher Johnson, and Mr. Johnson's whereabouts are unknown. The alleged fathers, nor anyone claiming to be the fathers of these children have not come forward to successfully demonstrate to the MCDCS the ability or willingness to appropriately parent his children.

Petitioner's Exhibit C.

On November 2, 2005, the trial court determined that Ad.W. and Al.W. were CHINS and placed Ad.W. in foster care and Al.W. in relative care. The trial court also entered a participation decree, which required Mother to contact the caseworker every week to allow the caseworker to monitor compliance, execute any releases of information necessary to monitor compliance with the terms of the participation decree, participate in and successfully complete a homebased counseling program and successfully complete any recommendation of the counselor, complete a parenting assessment and successfully complete all recommendations developed as a result of the parenting assessment, complete a psychological evaluation, participate in and successfully complete a drug and alcohol assessment and successfully complete all recommendations made by the evaluations, and participate in and complete anger control classes.

Mother contacted the case manager regularly but these contacts were not related to the health, safety, and welfare of Ad.W. Rather, Mother used profanity and insults and

demanded that Ad.W. and Al.W. be returned. In November 2005 and April 2006, the MCDCS filed a "rule to show cause against" Mother for her inappropriate language. Transcript at 197. The trial court found one of the filings to be true and took punishment under advisement. Mother's interactions with the MCDCS did not change.

Mother failed to sign any releases and provide them to the case manager. Mother also failed to participate in a program with homebased counseling or complete a program of anger management. The case manager made three referrals for a parenting assessment. Mother twice refused to contact the parenting assessor and failed to stay long enough during the third appointment to complete the assessment.

Mother failed to complete a drug and alcohol assessment or complete any drug screens related to the CHINS proceeding. Mother was on probation during the course of the CHINS proceedings and was subject to random urine screens through the probation department. From March 10 to June 13, 2006, Mother tested positive for marijuana fourteen times. Mother also tested positive for alcohol, which violated her conditional release. Mother's probation officer offered Mother referrals to mental health agencies, substance abuse agencies, and self help meetings, but Mother told him that she did not need his help.

On November 3, 2005, the MCDCS made a referral to the Psychological Laboratories of Indianapolis to perform a psychological examination of Mother. On November 7, 2005, Psychological Laboratories of Indianapolis called Mother and left her a message to set up an appointment. Psychological Laboratories of Indianapolis did not

hear from Mother and called again on December 5, 2005. Mother failed to complete the psychological evaluation. Dr. Shelvy Keglar, a clinical psychologist, performed a competency evaluation of Mother for the criminal court and concluded that she was competent. Dr. Keglar diagnosed Mother with "Intermittent Explosive Disorder," which is "an extreme form of losing your temper, or having extreme outbursts of anger . . . that's disproportionate to what is happening" and requires treatment. Id. at 30, 35. Dr. George Parker, a clinical psychiatrist, also performed a competency evaluation of Mother for the criminal court and concluded that Mother was competent to stand trial.

On November 21, 2005, Mother went to Giant Steps, a visitation facility, to visit with Ad.W. Mother brought in a container of home cooked food for Ad.W. in violation of the agency's rules. Tommy Hardaway, a visitation supervisor, informed Mother that home cooked meals were not allowed, and Mother ignored him. Later in the visit, Hardaway again informed Mother that home cooked meals were not allowed and that Mother was not allowed to ask Ad.W. about his whereabouts. Mother became "belligerent," "use[d] cuss words," and told Hardaway, "How in the hell can you tell me what to say to my kids? I have my own rights to saying whatever I want to ask my children at that time." Id. at 283. Hardaway told Mother that if she did not want to cooperate with the staff that she was welcome to leave, and Mother left after only visiting with Ad.W. for fifteen minutes even though she was scheduled to visit for an hour. Ad.W. became upset due to Mother's anger, use of profanity, and the fact that Mother

left. After Mother's second visit, Giant Steps refused to let Mother on their property because Mother refused to follow the agency's rules.

On February 9, 2006, Mother allegedly assaulted Al.W. and brandished a broom handle at Al.W. in Ad.W.'s presence. The trial court in that case entered a no contact order between Mother and Al.W. and suspended Mother's visitation with Al.W.

On May 8, 2006, the MCDCS filed a petition for termination of Mother's parental rights to Ad.W. After a hearing, the trial court granted the petition to terminate Mother's parental rights and entered the following findings of fact and conclusions thereon:

FINDINGS OF FACT

1. This court has subject matter jurisdiction over that general class of proceedings to which this cause of action belongs.

2. [Ad.W.] was born to [Mother] on May 26, 1996. [Mother] is also the mother of [Al.W.], minor child, whose date of birth is March 14, 1990.

3. Christopher Johnson is the alleged father of [Ad.W.].

4. A fact-finding hearing on the petition to terminate the parent-child relationship between [Ad.W.] minor child, and [Mother] was held on October 11 and October 12, 2006.

5. The State of Indiana appeared by Donna Lewis, attorney for the Marion County Department of Child Services (MCDCS), [Mother], pro se, but also present was her court-appointed attorney, Stephen McNutt, acting in an advisory capacity only; and Cynthia Dean, Guardian ad Litem attorney. Also appearing were Patrick Maher, MCDCS Family Case Manager and Brian Robinson, Family Child Advocate for the Guardian ad Litem program.

6. It was established by clear and convincing evidence that the allegations of the petition are true.

7. A petition alleging that [Ad.W.] was a child in need of services was filed in the Marion Superior Court, Juvenile Division, on August 29, 2005 under case number 49D09-0508-JCC33793. The petition was filed because [Mother], sole custodian of [Ad.W.], explosively lost her temper at a hearing in the juvenile court on August 25, 2005 concerning her minor daughter, [Al.W.]. [Mother] was arrested in the courtroom and charged with contempt of court, two (2) counts of battery, disorderly conduct and resisting law enforcement which left no person with the legal responsibility to care for [Ad.W.] and [Al.W.].

8. [Al.W.] is also the subject of a CHINS action. She is not a subject of the instant termination action. The current plan for [Al.W.] is guardianship, and she is currently placed with a cousin who is the proposed guardian.

9. The fact-finding hearing was held on November 2, 2005, and the Court found by a preponderance of the evidence that [Ad.W.] was a Child in Need of Services (CHINS).

10. The Court entered a dispositional decree on November 2, 2005 which removed [Ad.W.] from the care, custody and control of [Mother]. The Court also entered a participation decree that ordered [Mother] to complete certain services to improve her ability to parent [Ad.W.] and to facilitate reunification with [Ad.W.].

11. [Ad.W.] has been in foster care continuously during the duration of this CHINS case and this case. He has not been returned to the care, custody and control of [Mother]. Therefore, [Ad.W.] has been removed from the care, custody and control of [Mother] under the terms of a dispositional decree for more than six (6) months.

12. Christopher Johnson was defaulted on February 16, 2006 under the CHINS case number 49D09-0508-JC33793. [Ad.W.] was removed from Christopher Johnson's care, custody and control under the terms of a dispositional decree on February 16, 2006 and has been removed from his care, custody and control for more than six (6) months.

13. [Mother] was ordered under the CHINS action to enroll and participate in the following services: execution of releases of information so that MCDCS could monitor her progress in services; maintain weekly contact with the MCDCS caseworker; participate in and complete a program of home-based counseling; undergo a parenting assessment and follow all recommendations; complete a substance abuse evaluation and follow all recommendations following that assessment; undergo a psychological evaluation as referred and approved by MCDCS; successfully complete a program of anger management; establish legal paternity of [Ad.W.] if possible; and visit [Ad.W.] on a consistent basis.

14. [Mother] did not execute releases of information allowing MCDCS to monitor her progress in court-ordered services.

15. Even though [Mother] had frequent contacts with the MCDCS caseworker as ordered by the court in the CHINS case, every one of those conversations was inappropriate. She used racial epithets and extremely profane language, screamed at the MCDCS caseworker and refused to discuss the welfare of [Ad.W.] or her participation in the court-ordered services.

16. [Mother] did not participate in home-based counseling. She did not participate in or complete services to the point where home-based counseling would be referred by MCDCS. Home-based counseling is not referred by MCDCS until other court-ordered services have been completed and reunification is imminent.

17. MCDCS made three separate referrals for a Parenting Assessment in August 2005, November 2005 and March 2006. Despite the three referrals, [Mother] did not complete a parenting assessment.

18. MCDCS made three separate referrals for a Drug and Alcohol Assessment in August 2005, November 2005 and March 2006. Despite the three referrals, [Mother] did not complete a drug and alcohol assessment.

19. MCDCS made a referral for [Mother] to undergo a full psychological assessment under the direction of Dr. Mary Papandria. It was estimated that it would take from six to seven hours to complete the assessment. The assessment would involve a clinical

interview, two personality inventories, an IQ test, an academic achievement test and other psychological measures.

20. Dr. Papandria's office left telephone messages on November 7 and December 5, 2005 for [Mother] to return the telephone calls and to schedule an appointment for the assessment. [Mother] did not return the telephone calls or schedule an appointment for the assessment.

21. Upon the completion of each evaluation, Dr. Papandria writes individualized findings. The individualized findings allow MCDCS to tailor the services to the needs of the individual parent. The parent who follows the individualized plans increases her/his chances of reunification with the minor child.

22. If [Mother] had completed the psychological assessment, MCDCS would have been capable of making referrals for reunification services that were tailored for her particular needs.

23. [Mother] submitted to a 90-minute psychological examination with Dr. Shelvy Keglar, an expert psychologist; and a 90-minute psychiatric examination with Dr. George Parker, an expert psychiatrist. Marion Superior Court judges who were presiding over [Mother]'s criminal court cases ordered the examinations to determine whether [Mother] was competent to stand trial.

24. Dr. Keglar found that [Mother] was competent to stand trial in the Marion Superior Court criminal cases. He found her demeanor to be agitated, rambling, scattered and angry. Although Dr. Keglar did not make a clinical diagnosis, he testified that her behavior, criminal record and medical record were consistent with a condition known as intermittent explosive disorder. Dr. Keglar described intermittent explosive disorder as one in which a person reacts with disproportionate anger and possibly violence to a mild or moderate stimulus. He recommended that [Mother] should participate in ongoing counseling for diagnosis and treatment of her anger and mental health issues.

25. Dr. Parker found that [Mother] was competent to stand trial in the Marion Superior Court criminal cases. He found her demeanor to be tense and guarded as if she were tightly controlling her emotions while giving responses. In his opinion, [Mother] has a significant

anger problem and agreed that it was possible that intermittent explosive disorder would be a possible diagnosis.

26. Dr. Parker did not make a clinical diagnosis, but he proposed the paranoid personality disorder as another possible diagnosis for [Mother]. Dr. Parker described the paranoid personality as one that is characterized by elevated and disproportionate responses to stimuli and distorted perceptions. Further, persons who suffer from paranoid personality disorders are quick to see personal sleights and conspiracies; read meanings into situations that are not seen by other people; tend to see the world as being against them; and can become violent if they perceive themselves at risk. Dr. Parker also recommended that [Mother] could benefit from ongoing counseling for diagnosis and treatment of her anger and mental health issues.

27. [Mother] has not sought counseling or mental health treatment.

28. [Mother] has never sought or begun a program of anger management.

29. On April 12, 2005 [Mother] was arrested after engaging in a violent altercation with her minor daughter, [Al.W.]. [Mother] used a broom handle in a threatening way while she was chasing [Al.W.] through the house. The police were called. After the police arrived, they tried several time [sic] to prevent [Mother] from continuing to engage in the altercation with [Al.W.]. Finally it was necessary to handcuff and place [Mother] under arrest.

30. [Ad.W.] witnessed the entire altercation on April 12, 2005.

31. [Mother] has a current charge pending in the Marion Superior Court for battery against her daughter, [Al.W.], based on the incident that occurred earlier in 2006. A no-contact order was issued in the criminal case and remains in full force and effect.

32. [Mother] has charges pending in the Marion Superior Court for two counts of alleged battery on Marion County Sheriff Deputies Edinger and Anderson on August 25, 2005; battery by bodily waste on another Marion County Sheriff deputy; and two (2) counts of resisting law enforcement and disorderly conduct. Another battery

on Officer Welch is pending for an incident that occurred in the Marion Superior Court on March 2, 2006.

33. [Mother] is currently on probation. One of the conditions of probation is that she must submit to drug screens on a regular basis. Since March 10, 2006, [Mother] has provided three (3) urine specimens which were absolutely positive for THC; four (4) dilute specimens which are interpreted as positive by the criminal court; seven (7) dilute but positive for THC specimens; one (1) clean specimen; and seven (7) missed screens which are assumed by the criminal court to be positive.

34. [Mother] has an ongoing problem with the use of illegal substances which she has not acknowledged and for which she has not received treatment or help.

35. [Mother] has been cited by her probation officer on two occasions for positive drug screens. Despite the citations, [Mother] has continued to deny that she uses illegal substances or that she has a drug problem. She has been offered numerous referrals for drug treatment by both her probation officer and MCDCS and each offer for referral has been refused.

36. MCDCS filed a Rule to Show Cause against [Mother] based on her extreme behavior and failure to participate in court-ordered services. After a hearing on March 2, 2006, the Court entered a true finding as to the rule to show cause filed by MCDCS and entered a finding of contempt against [Mother].

37. Giant Steps is a supervised visitation agency in Indianapolis, Indiana. Giant Steps provides a visitation contract to visiting parents that contains the agency rules that must be followed by visiting parents. Three of the agency rules are that parents are not permitted to bring home cooked food to the children; profanity must not be used; and parents are not permitted to ask the minor children for information about their foster care placements.

38. Giant Steps canceled [Mother]'s supervised visits in December 2005 after two visits. [Mother] violated the agency rules by bring [sic] home cooked food to [Ad.W.], using profanity and asking [Ad.W.] to give her information about his foster care placement.

39. [Mother] has not visited with [Ad.W.] since December 2005. The Marion Superior Court, Juvenile 1 suspended [Mother]'s visits with [Ad.W.] until she completed a parenting assessment. The parenting assessment was never completed.

40. [Ad.W.] deserves and needs permanence and stability. [Ad.W.] needs and deserves an adult caregiver who can meet his emotional, mental and physical needs in a consistent manner. [Ad.W.] deserves and needs to live in an environment with a caregiver who does not use illegal drugs, is not violent and has control of his/her anger. He needs and deserves to live in an environment that is safe, loving and nurturing.

41. [Mother] has not demonstrated that she can provide the stability that [Ad.W.] needs and deserves. She has been offered the services that were identified by the Court as necessary for completion prior to reunification. None of the services were completed. She is still in denial about her drug use.

42. Based on [Mother]'s history of violent behavior toward [Al.W.], [Ad.W.] is at risk of future harm from [Mother]. From a psychiatric and psychological standpoint, a previous history of violence by [Mother] toward [Al.W.] creates an elevated risk of future harm to [Ad.W.] by [Mother].

43. [Ad.W.] has been living with the same foster parent since August 2005. The foster mother wants to adopt [Ad.W.]. [Ad.W.] loves his mother and misses her. [Ad.W.] has made a satisfactory adjustment in the foster home. He is bonded to the foster mother and they are affectionate toward each other. [Ad.W.]'s emotional, mental and physical needs are being met by the foster mother. The foster mother has foster children who are younger than [Ad.W.]. [Ad.W.] has assumed the role of big brother to the younger foster children which is a delight to him and to the younger children.

44. The continuation of the parent-child relationship is not in the best interests of [Ad.W.]. [Mother] has not demonstrated that she has the ability to provide a stable, safe and nurturing home for [Ad.W.].

45. There is a reasonable probability that the conditions which led to the removal of [Ad.W.] from [Mother] will not be remedied. Continuation of the parent-child relationship poses a threat to [Ad.W.]'s well-being. [Mother] has ongoing, untreated anger and mental health issues which have not been addressed throughout the course of the CHINS action and this proceeding. She has ongoing problems with the criminal justice system; an ongoing cycle of violence to her minor daughter, [Al.W.]; unwillingness to complete court-ordered services; and untreated illegal drug usage.

46. The Guardian ad Litem for [Ad.W.] believes that the parent-child relationship should be terminated and adoption of [Ad.W.] is in [Ad.W.]'s best interests.

47. Although it was within [Mother]'s power to work toward reunification with [Ad.W.], she chose not to do so.

CONCLUSIONS OF LAW

1. [Ad.W.] was found to be a Child in Need of Services by Order of the Marion Superior Court, Juvenile Division.
2. [Ad.W.] has been removed from [Mother] under the terms of a dispositional decree for more than six (6) months.
3. There is a reasonable probability that the conditions which led to the removal of [Ad.W.] from and continued placement outside the care and custody of [Mother] will not be remedied.
4. There is a reasonable probability that the continuation of the parent-child relationship between [Ad.W.] and [Mother] poses a threat to the well-being of [Ad.W.].
5. Termination of the parent-child relationship between [Ad.W.] and [Mother] is in [Ad.W.]'s best interests.
6. The plan of the Marion County Department of Child Services for the care and treatment of [Ad.W.] is adoption and that plan is acceptable and satisfactory.
7. If any of the foregoing Conclusions of Law should more properly be denominated as Findings of Fact, then they are so denominated.

JUDGMENT

IT IS THEREFORE ORDERED that the parent-child relationship between [Ad.W.] and [Mother] shall be terminated. All rights, privileges,

> immunities, duties and obligations, including the right to consent to adoption, pertaining to that relationship, are permanently terminated.
>
> IT IS FURTHER ORDERED that [Ad.W.] shall remain in placement under the supervision of the Marion County Department of Child Services.

Appellant's Appendix at 9-15.

The issue is whether the trial court's order terminating Mother's parental rights to Ad.W. is clearly erroneous. The traditional right of parents to establish a home and raise their children is protected by the Fourteenth Amendment of the United States Constitution. Bester v. Lake County Office of Family & Children, 839 N.E.2d 143, 147 (Ind. 2005). However, these parental interests are not absolute and must be subordinated to the child's interests in determining the proper disposition of a petition to terminate parental rights. Id. Parental rights may be terminated when the parents are unable or unwilling to meet their parental responsibilities. Id. The purpose of terminating parental rights is not to punish parents, but to protect children. In re L.S., 717 N.E.2d 204, 208 (Ind. Ct. App. 1999), reh'g denied, trans. denied, cert. denied, 534 U.S. 1161, 122 S. Ct. 1197 (2002).

When reviewing a termination of parental rights, we will not reweigh the evidence or judge the credibility of the witnesses. Bester, 839 N.E.2d at 147. We will consider only the evidence and reasonable inferences therefrom that are most favorable to the judgment. Id. Here, the trial court made findings in granting the termination of Mother's parental rights. When reviewing findings of fact and conclusions thereon entered in a

case involving a termination of parental rights, we apply a two-tiered standard of review. Id. First, we determine whether the evidence supports the findings. Id. Then, we determine whether the findings support the judgment. Id. The trial court's judgment will be set aside only if they are clearly erroneous. Id. "A judgment is clearly erroneous if the findings do not support the trial court's conclusions or the conclusions do not support the judgment." Id. (citation and internal quotations omitted).

Ind. Code § 31-35-2-8(a) (2004) provides that "if the court finds that the allegations in a petition described in [Ind. Code § 31-35-2-4] are true, the court shall terminate the parent-child relationship." Ind. Code § 31-35-2-4(b)(2) provides that a petition to terminate a parent-child relationship involving a child in need of services must allege that:

> (A) one (1) of the following exists:
>
> > (i) the child has been removed from the parent for at least six (6) months under a dispositional decree;
> >
> > (ii) a court has entered a finding under Ind. Code § 31-34-21-5.6 that reasonable efforts for family preservation or reunification are not required, including a description of the court's finding, the date of the finding, and the manner in which the finding was made; or
> >
> > (iii) after July 1, 1999, the child has been removed from the parent and has been under the supervision of a county office of family and children for at least fifteen (15) months of the most recent twenty-two (22) months;
>
> (B) there is a reasonable probability that:

(i) the conditions that resulted in the child's removal or the reasons for placement outside the home of the parents will not be remedied; or

(ii) the continuation of the parent-child relationship poses a threat to the well-being of the child;

(C) termination is in the best interests of the child; and

(D) there is a satisfactory plan for the care and treatment of the child.

The State must establish these allegations by clear and convincing evidence. Egly v. Blackford County Dep't of Pub. Welfare, 592 N.E.2d 1232, 1234 (Ind. 1992); Doe v. Daviess County Div. of Children & Family Services, 669 N.E.2d 192, 194 (Ind. Ct. App. 1996), trans. denied.

Mother challenges the trial court's findings that: (A) the continuation of the parent-child relationship poses a threat to the well-being of Ad.W.; (B) the conditions that resulted in Ad.W.'s removal will not be remedied; and (C) the termination of the parent-child relationship is in Ad.W.'s best interests.

A. Threat to the Well-Being of Ad.W.

Mother argues that the continuation of the parent-child relationship does not pose a threat to the well-being of Ad.W. "A trial court need not wait until a child is irreversibly influenced by a deficient lifestyle such that [his] physical, mental, and social growth is permanently impaired before terminating the parent-child relationship." In re E.S., 762 N.E.2d 1287, 1290 (Ind. Ct. App. 2002).

The evidence at the termination hearing revealed that on August 25, 2005, Mother became very irate at a hearing involving Al.W. Mother screamed, wrapped her arms around a chair, and resisted Deputy Edinger's attempts to take her into custody. During a supervised visit with Ad.W., Mother became "belligerent" and "use[d] cuss words." Transcript at 283. Ad.W. became upset due to Mother's anger, use of profanity, and the fact that Mother left. On February 9, 2006, Mother allegedly assaulted Al.W. and brandished a broom handle at Al.W. in Ad.W.'s presence.

Dr. Keglar diagnosed Mother with "Intermittent Explosive Disorder," which is "an extreme form of losing your temper, or having extreme outbursts of anger . . . that's disproportionate to what is happening" and requires treatment. Id. at 30, 35. Mother failed to complete a program of anger management as required by the participation decree. Dr. Keglar testified that Mother's violent reactions toward Al.W. was typical for someone with untreated Intermittent Explosive Disorder and that someone with untreated Intermittent Explosive Disorder poses a higher risk to their children. Dr. Parker testified that Mother's violent outburst against Al.W. placed Mother "at an increased risk for violence to her children in the future." Id. at 77. Further, the case manager testified that the continuation of the parent-child relationship posed a threat to Ad.W. Based upon the totality of the evidence, we cannot say that the trial court's finding that continuation of the parent-child relationship posed a threat to the well-being of Ad.W. was clearly erroneous. See, e.g., In re W.B., 772 N.E.2d 522, 534 (Ind. Ct. App. 2002) (holding that

the trial court's conclusion that continuation of the parent-child relationship posed a threat to the children was not clearly erroneous).

B. Conditions Will Not Be Remedied

Mother also argues that the trial court erred by finding that there was a reasonable probability that the conditions that resulted in Ad.W.'s removal or placement outside the home would not be remedied. Ind. Code § 31-35-2-4(b)(2)(B) required the MCDCS to demonstrate by clear and convincing evidence a reasonable probability that *either*: (1) the conditions that resulted in the child's removal or the reasons for placement outside the home of the parents will not be remedied, *or* (2) the continuation of the parent-child relationship poses a threat to the well-being of Ad.W. The trial court specifically found that the continuation of the parent-child relationship posed a threat to the well-being of Ad.W. and there is sufficient evidence in the record to support the trial court's conclusion. See supra Part A. Thus, we need not determine whether the trial court's conclusion that there was a reasonable probability that the conditions that resulted in Ad.W.'s removal or placement outside the home would not be remedied is clearly erroneous. See, e.g., In re T.F., 743 N.E.2d 766, 774 (Ind. Ct. App. 2001), trans. denied.

C. Best Interests

Mother argues that termination of the parental relationship is not in Ad.W.'s best interest. In determining what is in the best interests of the child, the trial court is required to look at the totality of the evidence. A.F. v. Marion County Office of Family &

Children, 762 N.E.2d 1244, 1253 (Ind. Ct. App. 2002), trans. denied. In doing so, the trial court must subordinate the interests of the parents to those of the child involved. Id.

The case manager testified that the termination of the parent-child relationship was in the best interests of Ad.W. The case manager also testified that it was not in Ad.W.'s best interests to allow Mother additional time to complete the court ordered services. The guardian ad litem recommended that Mother's parental rights to Ad.W. be terminated. Based upon the totality of the evidence in this case, the trial court's finding that termination was in Ad.W.'s best interest was supported by clear and convincing evidence. See, e.g., In re M.M., 733 N.E.2d 6, 13 (Ind. Ct. App. 2000) (holding that the testimony of the CASA and the family case manager, coupled with the evidence that the conditions resulting in the placement outside the home will not be remedied, was sufficient to prove by clear and convincing evidence that termination was in a child's best interest); McBride v. Monroe County Office of Family & Children, 798 N.E.2d 185, 203 (Ind. Ct. App. 2003) (holding that the testimony of a caseworker and CASA alone is sufficient to support the court's conclusion that termination is in the children's best interests).

For the foregoing reasons, we affirm the trial court's involuntary termination of Mother's parental rights to Ad.W.

Affirmed.

MAY, J. and BAILEY, J. concur